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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kugler et al.

Serial No.: 09/652,548

Art Unit: 3738

Filed : August 31, 2000

Examiner: Milano, M.

For : BILUMINAL ENDOVASCULAR GRAFT SYSTEM

Commissioner for Patents  
Washington, D.C. 20231

TERMINAL DISCLAIMER

Dear Sir:

Your Petitioner, TERAMed, Inc., a corporation of the State of Minnesota, having a registered office at 1350 Energy Lane, Suite 105, St. Paul, Minnesota 55108, represents that it is the owner of U.S. Patent Application Serial No. 09/652,548 filed August 31, 2000, as evidenced by the attached copies of documents sent on March 16, 1998, for recording in the United States Patent and Trademark Office.

Your Petitioner, TERAMed, Inc. hereby disclaims, under the provisions of 35 USC 253 and 37 CFR 1.321 and 3.73, the terminal part of any patent granted on application Serial No. 09/652,548 which would extend beyond the expiration date of United States Patent No. 6,129,756 and hereby agrees that any patent so granted on application Serial No. 09/652,548 shall be enforceable only for and during such period that the legal title of said patent shall be the same as the legal title to United States Patent No. 6,129,756, this agreement to run with any patent granted on application Serial No. 09/652,548 and to be binding upon the grantee, its successors or assigns.

The Terminal Disclaimer fee of \$110.00 and any additional fees which may be owed in connection with the filing of this Terminal Disclaimer can be charged to Johnson & Johnson Deposit Account No. 10-0750/CRD-1003/CJE. Three copies of this sheet are enclosed.

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Signed at New Brunswick, New Jersey this 7<sup>th</sup> day of February,  
2002

Respectfully submitted,

TERAMed, Inc.



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